

## Message Text

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ACTION IO-11

INFO OCT-01 EUR-12 ISO-00 IOE-00 SSO-00 NSCE-00 USIE-00

INRE-00 SP-02 AID-05 EB-07 NSC-05 CIEP-01 TRSE-00

SS-15 STR-04 OMB-01 CEA-01 COME-00 FTC-01 JUSE-00

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 PA-01

PRS-01 ACDA-05 OIC-02 /091 W  
----- 058290

O R 091619Z MAR 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 7047

AMEMBASSY LIMA IMMEDIATE

USMISSION USUN NEW YORK IMMEDIATE

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY BERLIN

USMISSION USBERLIN

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 03936

E.O. 11652: GDS

TAGS: PFOR, PGOV, UN, ECOSOC, US, UK, FR, GW, UR, GE

SUBJECT: USSR PROTEST ON FRG REPRESENTATIVE TO TNC  
COMMISSION

REFS: (A) LIMA 2251; (B) USUN 868; (C) STATE 50542;  
(D) BONN 2748 NOTAL

SUMMARY: BONN GROUP HAS AGREED AD REF TO TEXT OF REPLY  
TO SOVIET MARCH 4 PROTEST (REF B) ON FRG REPRESENTATIVE  
TO UN COMMISSION ON TRANS NATIONAL CORPORATIONS (TNC).  
AGREEMENT HAS ALSO BEEN REACHED ON RECOMMENDATION FOR  
REACTING TO LETTERS ON SUBJECT SENT TO TNC COMMISSION  
CHAIRMAN IN LIMA (REF A). END SUMMARY.

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1. BONN GROUP ON MARCH 8 AGREED TO RECOMMEND TEXT GIVEN BELOW AS RESPONSE TO SOVIET MARCH 4 LETTER TO UN SEC GEN.

2. BEGIN TEXT:

1. OPENING PARA REFERRING TO KHARLAMOV'S LETTER (FOR DRAFTING BY UN MISSIONS)

2. THE AUTHORITIES OF THE THREE POWERS REAFFIRM THE CONTENTS OF THEIR LETTER ON THIS SUBJECT TO THE SECRETARY GENERAL OF JUNE 27, 1975 (A/10127), AND WISH IN PARTICULAR TO RECALL THE FOLLOWING EXTRACTS:

THE CONTENTION OF THE PERM REP OF THE USSR THAT THE DESIGNATION OF DR. EBERHARD GUENTHER AS A REPRESENTATIVE OF THE FRG TO THE FIRST SESSION OF THE UN COMMISSION ON TRANSNATIONAL CORPORATIONS IS CONTRARY TO THE QA IS WITHOUT FOUNDATION. THIS AGREEMENT, WHICH WAS SIGNED IN BERLIN ON SEPT. 3, 1971, BY THE GOVERNMENTS OF FRANCE, THE UK, US AND USSR, CONTAINS NO PROVISION FROM WHICH SUCH A CONTENTION COULD BE DRAWN.

THE LOCATION OF THE FEDERAL OFFICE FOR THE SUPERVISION OF CARTELS AND TRUSTS IN THE WESTERN SECTORS OF BERLIN WAS APPROVED IN 1957 BY THE US, BRITISH AND FRENCH AUTHORITIES ACTING ON THE BASIS OF THEIR SUPREME AUTHORITY. THEY ARE SATISFIED THAT THE FEDERAL OFFICE FOR THE SUPERVISION OF CARTELS AND TRUSTS DOES NOT PERFORM IN THE WESTERN SECTORS OF BERLIN ACTS IN EXERCISE OF DIRECT STATE AUTHORITY OVER THE WSB. NEITHER THE LOCATION NOR THE ACTIVITIES OF THIS OFFICE IN THE WSB THEREFORE CONTRAVENE ANY OF THE PROVISIONS OF THE QA.

THE LETTER REFERRED TO ABOVE FROM THE SOVIET PERMANENT REPRESENTATIVE CONTAINS AN INCOMPLETE AND

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PRS-01 ACDA-05 OIC-02 /091 W  
----- 058319

O R 091619Z MAR 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 7048

AMEMBASSY LIMA IMMEDIATE

USMISSION USUN NEW YORK IMMEDIATE

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY BERLIN

USMISSION USBERLIN

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 02 OF 02 BONN 03936

CONSEQUENTLY MISLEADING REFERENCE TO THE QA. THE  
RELEVANT PASSAGE OF THIS AGREEMENT TO WHICH THE SOVIET  
REPRESENTATIVE REFERRED PROVIDES THAT THE TIES BETWEEN  
THE WSB AND THE FRG WILL BE MAINTAINED AND DEVELOPED,  
TAKING INTO ACCOUNT THAT THESE SECTORS CONTINUE NOT TO  
BE A CONSTITUENT PART OF THE FRG AND NOT TO BE  
GOVERNED BY IT.

(FOR USE IF GDR OR OTHER EES ACTUALLY SEND SUCH  
COMMUNICATIONS) REGARDING OTHER COMMUNICATIONS  
ON THIS SUBJECT WHICH HAVE BEEN SENT TO THE SECRETARY  
GENERAL, WE WISH TO POINT OUT THAT STATES WHICH  
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ARE NOT PARTIES TO THE QA ARE NOT COMPETENT TO  
COMMENT AUTHORITATIVELY ON ITS PROVISIONS.

3. CLOSING PARA REQUESTING SAME CIRCULATION AS GIVEN  
KHARLAMOV'S LETTER (FOR DRAFTING BY UN MISSIONS)  
END TEXT

3. REPS HAVE ALSO AGREED TO RECOMMEND THE ABOVE TEXT  
(WITH SUITABLE OPENING AND CLOSING PARAGRAPHS TO BE  
DRAFTED BY REPS IN LIMA) AS REPLY TO SOVIET LETTER TO  
VLADEZ IF THAT LETTER IS OFFICIALLY CIRCULATED (SEE  
REF A).

4. REGARDING ALLIED ACTION IF LETTERS ARE NOT  
CIRCULATED IN LIMA, BONN GROUP REPS BELIEVE COURSE SET  
OUT PARA 2 REF A IS APPROPRIATE.

5. ACTION REQUESTED: DEPARTMENT APPROVE TEXT PARA 2  
FOR DELIVERY IN UN AND RECOMMENDATIONS REGARDING TNC  
MEETING IN LIMA AS INDICATED IN PARA 3 AND 4 ABOVE.  
HILLENBRAND

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** MEETING CHAIRMAN, MULTINATIONAL CORPORATIONS, COMMITTEE MEETINGS, DIPLOMATIC PROTESTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 09 MAR 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ShawDG  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976BONN03936  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760089-0135  
**From:** BONN  
**Handling Restrictions:** n/a  
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**Legacy Key:** link1976/newtext/t19760381/aaaactti.tel  
**Line Count:** 188  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION IO  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 LIMA 2251, 76 STATE 50542  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 31 MAR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <31 MAR 2004 by MartinML>; APPROVED <29 JUL 2004 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** USSR PROTEST ON FRG REPRESENTATIVE TO TNC COMMISSION  
**TAGS:** PFOR, PGOV, US, UK, FR, GE, UR, GC, UN, ECOSOC, (GUENTHER, EBERHARD)  
**To:** STATE USUN NEW YORK  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006